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PATTY O. WEAVER
CLERK OF THE DISTRICT COURT
PAMELA SCHNEIDER
DEPUTY

AHERIN, RICE & ANEGON
Anthony C. Anegon
1212 Idaho Street
P.O. Drawer 698
Lewiston, ID 83501-0698
(208) 746-3646
ISB# 2917

Attorneys for Petitioners

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF NEZ PERCE

In the Matter of the organization of
CENTRAL ORCHARDS SEWER
DISTRICT.

NO. 32873

ORDER FOR INCLUSION

ANTHONY C. ANEGON, counsel for the Central Orchards Sewer District, having filed herein a certified copy of an order of the Board of Directors of the Central Orchards Sewer District dated March 14, 2013, and said order having granted the petition of Robert L. Brooks and Robin Brooks, husband and wife, for the inclusion of property described in said order within the Central Orchards Sewer District, and there having been filed a certified copy of the petition presented to the Board, and proof of publication of notice, and the Court being fully advised in the premises, finds and concludes:

That the petitioners, Robert L. Brooks and Robin Brooks, husband and wife, named in the order of the Board of Directors of the Central Orchards Sewer District dated March 14, 2013, regularly filed with said Board a petition praying for the inclusion of their property described in said petition within the Central Orchards Sewer District; that said petition was duly acknowledged and in all respects executed in accordance with the statutes of the State of Idaho;

ORDER FOR INCLUSION -- 1

N:\COSD (Central Orchards Sewer District)\Documents\Brooks Annexation\Order

Aherin, Rice & Anegon
Attorneys at Law
Lewiston, Idaho

that subsequent to the filing of said petition, notice of said hearing was duly and regularly given in the manner and form required by law; that upon said hearing, the Board, having heard any and all protests properly submitted to the Board and having duly considered the matter, deeming it in the best interests of the Central Orchards Sewer District, as well as the individual petitioners, the Board of Directors duly and regularly entered its order of March 14, 2013.

That a certified copy of said order has been heretofore filed and is by reference made a part hereof as though fully set forth herein; that all of the said proceedings leading up to the inclusion of the property described in said order from the Central Orchards Sewer District having been properly and regularly taken in the manner and form required by the statutes of this state; it appearing that the petitioners named in said order of the Central Orchards Sewer District having not withdrawn their petition for inclusion upon the announcement of the terms and conditions as set forth in said order, pursuant to the laws of the State of Idaho; IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT THE PROPERTY OF ROBERT L. BROOKS AND ROBIN BROOKS, HUSBAND AND WIFE, AS DESCRIBED IN THE CERTIFIED COPY OF THE ORDER OF THE BOARD OF DIRECTORS OF THE CENTRAL ORCHARDS SEWER DISTRICT DATED MARCH 14, 2013, ON FILE HEREIN, BE AND THE SAME IS HEREBY ORDERED TO BE INCLUDED WITHIN THE CENTRAL ORCHARDS SEWER DISTRICT: the description of said property so included is as described in said order of the Board of Directors of the Central Orchards Sewer District and is made a part of this order by reference thereto as though the same had been fully set forth herein.

DATED this 8 day of April, 2013.

JEFF M. BRUDIE

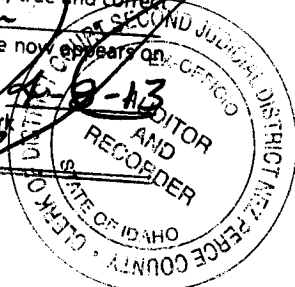
District Judge

I, Patty O. Weeks, Clerk of the above entitled Court do hereby certify the foregoing to be a full, true and correct copy of the original in the above entitled cause as the same now appears on file and of record in my office.

WITNESS my hand and official seal this 4-8-13

PATTY O. WEEKS, Clerk

Deputy



BEFORE THE BOARD OF DIRECTORS OF THE
CENTRAL ORCHARDS SEWER DISTRICT

In the Matter of Inclusion of Lands Within the
Above Named Sewer District.

ORDER

THE CENTRAL ORCHARDS SEWER DISTRICT, having been petitioned by ROBERT L. BROOKS and ROBIN BROOKS, husband and wife, for the inclusion of their property in the said district, and proper notice of said petition and hearing thereon being given pursuant to law and the Board of Directors having duly considered the matter and having heard any and all protests to said petition properly submitted at the hearing on March 14, 2013, at the hour of 6 o'clock p.m., and the Board of Directors of the Central Orchards Sewer District having determined that as a condition of annexation the property of the petitioners shall be assessed according to Idaho Code Section 42-3218 and Central Orchards Sewer District Resolution 89-1, and having duly considered the problems of annexation and the extra costs to the district for said property due to the fact that the property was not in the Central Orchards Sewer District at the time the General Obligation Bond issue was passed to construct sewers, and acknowledging that providing sewer service to said property will be at an increased cost to the district, and the Board of Directors, deeming it in the best interests of the Central Orchards Sewer District, as well as the individual petitioners;

CENTRAL ORCHARDS SEWER DISTRICT BOARD OF DIRECTORS HEREBY
MAKES AND ENTERS ITS ORDER AS FOLLOWS:

That the above-named petitioners, having heretofore filed their petition in writing praying that the real property described therein following their names, be included in the Central Orchards Sewer District, said petition being duly acknowledged and being a part of the records and files of this board, said petitioner should have their petition granted in full and that the real property described following their names be included in the boundaries of the Central Orchards Sewer District, to wit:

Robert L. Brooks and Robin Brooks, husband and wife, owners of the following-described property:

#130 Situate in the County of Nez Perce, State of Idaho, to-wit:

A part of Lots 11 and 12, Block 96, Lewiston Orchards Tract No. 12, according to the recorded plat thereof, records of Nez Perce County, Idaho, described as follows:

Commencing at the centerline intersection of Burrell Avenue and 17th Street; thence S 89°03' W along the centerline of Burrell Avenue 100.00 feet; thence N 0°56' W, 30.00 feet to a point on the North right of way line of said Burrell Avenue; thence N 89°03' E along said right of way line 10.00 feet to the Point of Beginning; thence N 0°56' W, 200.836 feet; thence N 10°31'26" W, 87.12 feet; thence; N 01°01'28" E, 114.197 feet; thence S 89°49'45" W, 315.754 feet; thence N 0°10'15" W, 224.79 feet to a point on the centerline of Airway Avenue; thence N 89°03' E along the centerline of Airway Avenue 265 feet; thence S 28°17'17" E, 25.021 feet; thence S 17°58'42" E, 163.638 feet; thence S 01°01'28" W, 163.933 feet; thence S 10°31'26" E, 86.948 feet; thence S 0°56'0" E, 201.672 feet to a point on the North right of way line of said Burrell Avenue; thence S 89°03' W along said right of way line 10.00 feet to the Point of Beginning.

SUBJECT TO reservations as disclosed by Deed, between Lewiston Orchards Irrigation District, a Municipal Corporation, and A. J. DesJardin, recorded September 19, 1942, in Book 164 of Deeds, Page 389, records of Nez Perce County, Idaho.

SUBJECT TO Perpetual Right of Way Easement, including its terms, covenants, and provisions, as disclosed by instrument to Gary Gene Hagen and Edna C. Hagen, husband and wife, recorded April 11, 2011, as Instrument No. 790540, records of Nez Perce County, Idaho.

SUBJECT TO Perpetual Right of Way Easement, including its terms, covenants, and provisions, as disclosed by instrument to Gail Dean Hagen, an unmarried person, recorded April 11, 2011, as Instrument No. 790543, records of Nez Perce County, Idaho.

SUBJECT TO Perpetual Right of Way Easement, including its terms, covenants, and provisions, to Jeanette Benish, a married person as her sole and separate property, as disclosed by instrument recorded April 11, 2011, as Instrument No. 790544, records of Nez Perce County, Idaho.

SUBJECT TO Waterline Easement, including its terms, covenants, and provisions, to Gail Dean Hagen, an unmarried person, et al, recorded April 27, 2011, as Instrument No. 790970, records of Nez Perce County, Idaho.

SUBJECT TO Agreement Affecting Real Property by and between GAIL DEAN HAGEN, GARY GENE HAGEN, and JEANETTE BENISH, recorded June 27, 2012, as Instrument No. 802098, records of Nez Perce County, Idaho.

IT IS HEREBY ORDERED that the owners of the above-described property shall pay the sum of Five Hundred Dollars (\$500) for their property as a condition to being annexed into the Central Orchards Sewer District pursuant to Central Orchards Sewer District Resolution 89-1.

IT IS FURTHER ORDERED that the Secretary of the Board of Directors cause to be filed a certified copy of this Order with the Clerk of the Court of the Second Judicial District of the State of Idaho, in and for the County of Nez Perce, along with a certified copy of the petition of the above-named petitioners and proof of publication and notice, PROVIDED, that if the owners of the afore-described property withdraw their petition on or before March 28, 2013, pursuant to Idaho Code Section 42-3218(c), said property shall not be included within the boundaries of the Central Orchards Sewer District.

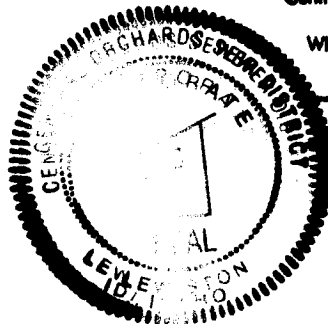
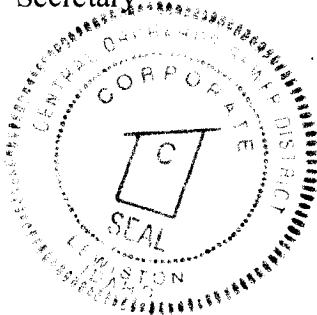
DATED this 14th day of March, 2013.

CENTRAL ORCHARDS SEWER DISTRICT

By Jerry Northrup
Jerry Northrup
Chairman

ATTEST:

Vernon L. Williams
Vernon L. Williams
Secretary



I, Secretary of the Central Orchard Sewer District do hereby certify the foregoing to be a full, true and correct copy of the original order as the same now appears on file and of record in the office of the Central Orchard Sewer District.

WITNESS my hand and official seal this 11th day of

April, 2013

Vernon L. Williams
Secretary

